

## REMARKS

This application has been carefully reviewed in light of the Examiner's action dated January 15, 2004. Claim 82 has been amended and Claim 87 has been canceled without prejudice. Reconsideration full allowance are respectfully requested.

Initially, Applicant notes with appreciation the Examiner's indication that Claims 76-81 are allowed.

The Examiner rejected independent Claim 82 and its dependent claims 84-86 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6, 070,083 by Watters et al. ("Watters"). This rejection is respectfully traversed for the reasons set forth in detail below.

As presented, independent Claim 82 is directed to a method for first identifying a set of candidate service providers based on service type and then automatically selecting a subset of the service providers based on information other than service type. More specifically, the method involves receiving a service request identifying a type of services for which information is desired. A number of candidate service providers are identified based on this service type information and the location of the mobile unit. Selection information independent of the service type information is stored for use in identifying a subset of service providers for generating subscriber information. Based on this stored selection information, a subset of service provider information is selected free from any contemporaneous input from the subscriber. The subset of information can then be output to the subscriber. For example, in an initial set-up process, the subscriber may enter into the system information indicating that the subscriber only wishes to have a certain number of items returned, or that the subscriber is not interested in ATMs that charge a fee or restaurants that do not accept credit cards. This information can then be automatically accessed in responding to a service request so that appropriate information is returned to the subscriber without requiring an iterative selection process by the subscriber.

Watters discloses a location based services application for a wireless network. The application can provide information about local service providers. As the Examiner has noted, the application allows for an iterative selection process regarding the

information of interest. More specifically, the subscriber can provide an input indicating an interest in information about local restaurants. In response, the system may identify subcategories of service type information to the subscriber. In this regard, Watters states that "the network may provide information in the form of a list of subtypes, for example, a list of ethnic varieties of restaurants in the local area." The subscriber then enters a selection or further service request identifying a subtype. Specifically, Watters states "a further specification step could thus be employed to specify a single subtype."

Thus, Watters does not disclose or suggest a system where a set of candidate providers is identified based on service type information and then a subset is selected based on information independent of service type. Moreover, Watters does not disclose a system where a subset of information is automatically selected independent of any contemporaneous input by the subscriber. Rather, in Watters, a set of information, i.e., a list of subtypes, is identified in response to a service request and that full list is provided to the subscriber. A subsequent input by the user or service request is submitted, e.g., by identifying a subtype, and the full set of information corresponding to that request is then apparently provided to the subscriber. Accordingly, Applicant respectfully submits that Watters does not disclose or suggest the subject matter of Claim 82 as presented. Applicant therefore respectfully requests that this rejection be withdrawn with respect to Claim 82 and its dependent claims.

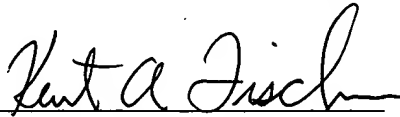
The Examiner rejected Claim 83 as being unpatentable over Watters in view of Brohoff and Karmel. Applicant respectfully submits that Claim 83 is allowable as depending from independent Claim 82 which is believed to be allowable for the reasons set forth above.

The Examiner also rejected Claim 87 under 35 U.S.C. § 103 as being unpatentable over Watters in view of Bolduc et al. Claim 87 has been canceled and it is therefore believed that this rejection has been obviated.

A sincere effort has been made to put this application in condition to receive a Notice of Allowance and such disposition is respectfully requested. In the event that a telephone conversation would expedite allowance, the Examiner is invited to contact the undersigned.

Respectfully submitted,

MARSH FISCHMANN & BREYFOGLE LLP

By: 

Kent A. Fischmann

Registration No. 35,511

3151 South Vaughn Way, Suite 411

Aurora, Colorado 80014

(720)562-5501

Date: March 11, 2004